## 77 Rec PCT/PTO 18 DEC 2001

**FORM PTO-1390** U.S. DEPARTMENT OF COMMERCE ATTORNEY DOCKET NO. 100564-00064 PATENT AND TRADEMARK OFFICE (REV 5-93) DATE: December 18, 2001 TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) U.S. APPLN, NO CONCERNING A FILING UNDER 35 U.S.C. 371 (IF KNOWN, SEE 37 C.F.R. 1.5) 09/889,592 INTERNATIONAL APPLICATION NO INTERNATIONAL FILING DATE PRIORITY DATE CLAIMED 3 February 1999 PCT/EP00/00877 3 February 2000 TITLE OF INVENTION: PROTEIN WITH CELL PROLIFERATION AND CELL DIVISION MODULATING ACTIVITY AND DNA ENCODING SUCH PROTEIN APPLICANT(S) FOR DO/EO/US: Ingvar M. FERBY, M. Angel Rodriguez NEBREDA This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. (THE BASIC FILING FEE IS ATTACHED) This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371. This express request to begin national examination procedures [35 U.S.C. 371(f)] at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1). A proper demand for International Preliminary Amendment was made by the 19th month from the earliest claimed priority date. A copy of the International Application as filed [35 U.S.C. 371(c)(2)] a. 
is transmitted herewith (required only if not transmitted by the International Bureau). has been transmitted by the International Bureau. is not required, as the application was filed in the United States Receiving Office (RO/US). A translation of the International Application into English [35 U.S.C. 371(c)(2)]. ☐ Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)] are transmitted herewith (required only if not transmitted by the International Bureau). have been transmitted by the International Bureau. have not been made; however, the time limit for making such amendments has NOT expired. have not been made and will not be made. A translation of the amendments to the claims under PCT Article 19 [35 U S.C. 371(c)(3)]. An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)]. A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)] Items 11 - 16 below concern other document(s) or information included: 11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98. 12. An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included ☐ A FIRST preliminary amendment. ☐ A SECOND or SUBSEQUENT preliminary amendment ☐ A substitute specification 15 ☐ A change of power of attorney and/or address letter.

16. Other items or information:

LLS APPLN NO (IF KNOWN SEE 37 C.F.R. 1.50) 09/889,592		INTERNATIONAL APPLICATION NO. PCT/EP00/00877		ATTORNEY DOCKET NO. 100564-00064	
				DATE: December 18, 2001	
17. The following fees are submitted:  Basic National Fee [37 C.F.R. 1.492(a)(1)-(5)]: Search Report has been prepared by the EPO or JPO\$890.00 International preliminary examination fee paid to USPTO (37 C.F.R. 1.482)\$690.00 No international preliminary examination fee paid to USPTO (37 C.F.R. 1.482) but international search fee paid to USPTO [37 C.F.R. 1.445(a)(2)]\$710.00 Neither international preliminary examination fee (37 C.F.R. 1.482) or international search fee [37 C.F.R. 1.445(a)(2)] paid to USPTO\$1,000.00 International preliminary examination fee paid to USPTO (37 C.F.R. 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)\$100.00				CALCULATIONS	PTO USE ONLY
ENTER APP	ROPRIATE BASIC	FEE AMOUNT =		\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date [37 C F.R. 1 492(e)].				\$	
Claims	Number Filed	Number Extra	Rate		
Total Claims	- 20 =		X \$ 18.00	\$	
Independent Claims	- 3 =		X \$ 84.00	\$	
Multi; le dependent claim(s)	(if applicable)		+ \$280.00	\$	
то	OTAL OF ABOVE C	ALCULATIONS =		\$	
Reduction by one-half for filing by small entity, if applicable.  Verified Small Entity statement must also be filed.  (Note 37 C.F.R. 1.9, 1.27, 1.28).			\$		
SUBTOTAL =			\$		
Processing fee of \$130.00 for furnishing the English translation later the ☐ 20 ☐ 30 months from the earliest claimed priority date [37 C F.R. 1.492(f)]. +			\$		
TOTAL NATIONAL FEE =				\$	
Fee for recording the enclosed assignment [37 C.F.R. 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property			\$		
TOTAL FEES ENCLOSED =				\$	
				Amount to be refunded	\$
				Charged	\$
a ☐ A check in the amount of \$ to cover the above fees is enclosed. b. ☐ Please charge my Deposit Account No. 01-2300 in the amount of \$ to cover the above fee A duplicate copy of this sheet is enclosed. c. ☑ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 01-2300.  NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive					
[37 C.F.R. 1.137(a) or (b)] must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO: Arent Fox Kintner Plotkin & Kahn 1050 Connecticut Avenue, N.W. Suite 400 Washington, D.C. 20036-5339					5 K 1
Tel: (202) 857-6000 Fax: (202) 638-4810 RBM/baw			Robert B. Murray Reg. No. 22,980		

## **PATENT APPLICATION**

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	
FERBY et al.	Atty. Dck. No. 100564-00064
Serial No.: 09/889,592	

For: PROTEIN WITH CELL PROLIFERATION AND CELL DIVISION MODULATING ACTIVITY AND

DNA ENCODING SUCH PROTEIN

Filed: February 3, 2000

## **INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents Washington, D.C. 20231

Sir:

Pursuant to 37 CFR §1.56, the attention of the Patent and Trademark Office is

Date: December 18, 2001

otherw reques applica	y directorise ind sted that the sted that attention, a	ed to the information item listed on the attached PTO-1449. Unless icated herein, one copy of each item is attached. It is respectfully at the information be expressly considered during the prosecution of this nd that the item be made of record therein and appear among the Cited" on any patent to issue therefrom.
	merits	This Information Disclosure Statement is being filed (a) within three months U.S. filing date, OR (b) before the mailing date of a first Office Action on the in the present application, OR (c) accompanies a Request for Continued nation. No certification or fee is required.
		This Information Disclosure Statement is being filed more than three months ne U.S. filing date AND after the mailing date of the first Office Action on the but before the mailing date of a Final Rejection or Notice of Allowance.
		a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).
		b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).

. Application No. 09/889,592

		c. A check in the amount of \$180.00 in payment of the fee under 37 CFR §1.17(p). Please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300 as needed to ensure consideration of the disclosed information.	
	Allowa the Info amoun charge	This Information Disclosure Statement is being filed more than three months ne U.S. filing date and after the mailing date of a Final Rejection or Notice of ance, but before payment of the Issue Fee. Applicant(s) hereby petition(s) that formation Disclosure Statement be considered. Attached is our check in the nt of \$180.00 in payment of the petition fee under 37 CFR §1.17(i)(1). Please any fee deficiency or credit any overpayment to Deposit Account No. 01-2300 eded to ensure consideration of the disclosed information.	
		a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).	
		b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).	
$\boxtimes$	4. Examir	An English language version of the foreign search report is attached for the ner's information.	
		Respectfully submitted,	
		Robert B. Murray	
		Registration No. 22,980	

Customer No. 004372 ARENT FOX KINTNER PLOTKIN & KAHN, PLLC 1050 Connecticut Avenue, N.W., Suite 400 Washington, D.C. 20036-5339

Tel: (202) 857-6000 Fax: (202) 638-4810

RBM/baw